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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

NATURAL RESOURCES DEFENSE)
COUNCIL, INC., et al.,)

Plaintiffs,)

v.)

DEPARTMENT OF ENERGY, et al.,)
Administration, Oakland Operations Office)

04-cv-04448 SC (BZ)

**STIPULATION AND [PROPOSED]
SCHEDULING ORDER**

Hon. Samuel Conti

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Stipulation and [Proposed] Scheduling Order
NRDC et al. v. DOE et al. (N.D. Cal.)
Case No. 04-04448 SC (BZ) - 2

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26
27 **Stipulation and [Proposed] Scheduling Order**
NRDC et al. v. DOE et al. (N.D. Cal.)
28 **Case No. 04-04448 SC (BZ) - 3**

1 WHEREAS, Plaintiffs, NATURAL RESOURCES DEFENSE COUNCIL, COMMITTEE
 2 TO BRIDGE THE GAP, and CITY OF LOS ANGELES, and Defendants, U.S. DEPARTMENT
 3 OF ENERGY (“DOE”), SAMUEL W. BODMAN,¹ Secretary of DOE, and CAMILLE YUAN-
 4 SOO HOO (collectively, the “Parties”), engaged in an alternative dispute resolution process
 5 before Hon. Judge Bernard Zimmerman, which process is now concluded;

7 WHEREAS, the Court has contacted the Parties and requested that they file a stipulation
 8 with respect to the schedule for motions that they anticipate in this matter, and the Parties,
 9 through counsel, have conferred to this end;

11 WHEREAS, the Court has requested that Defendants lodge one copy of the
 12 Administrative Record (“AR”) with the Court;

13 IT IS HEREBY AGREED AND THE PARTIES STIPULATE, subject to the Court’s
 14 approval, as follows:

15 January 20, 2006	DOE lodges one copy of the AR with the Court and provides plaintiffs with one copy of any AR materials not previously provided
17 March 10, 2006	Plaintiffs file for Summary Judgment (45 page limit)
18 April 12, 2006	Defendants file a combined Opposition to Plaintiffs' Motion and a Cross Motion for Summary Judgment (60 page limit)
20 May 10, 2006	Plaintiffs file an Opposition to Defendants' Motion and Reply in Support of their Motion (30 page limit)
22 June 7, 2006	Defendants file a Reply in Support of their Cross Motion. (15 page limit)

24 ¹Secretary Samuel W. Bodman, sworn into office February 1, 2005, is automatically substituted for
 25 his predecessor, Spencer Abraham, pursuant to Fed. R. Civ. P. 25(d)(1). This Stipulation is
 26 entered into on behalf of the DOE and the individually named defendants acting in their official capacity.

27 **Stipulation and [Proposed] Scheduling Order**
 28 **NRDC et al. v. DOE et al. (N.D. Cal.)**
Case No. 04-04448 SC (BZ) - 4

June 9, 2006 Parties jointly file an Excerpts of Record, including the AR documents cited by the Parties

June 23, 2006 Hearing on the cross-motions for summary judgment at 10 a.m.

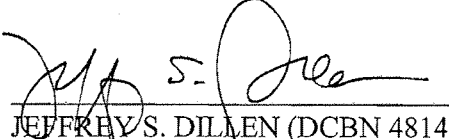
Respectfully submitted this 2th day of January, 2006.

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Of Counsel

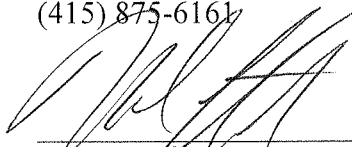
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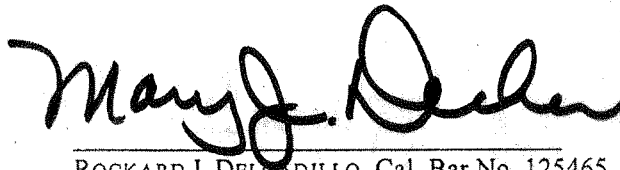


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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/13/06



Hon. Samuel Conti
U.S. District Judge

Stipulation and [Proposed] Scheduling Order
NRDC et al. v. DOE et al. (N.D. Cal.)
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